

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2006-004999

11/13/2008

HONORABLE JOSEPH B. HEILMAN

CLERK OF THE COURT  
L. Muhammad  
Deputy

MICHELLE TAYLOR

PAUL J SACCO

v.

CATHOLIC HEALTHCARE WEST, et al.

GREGORY J GNEPPER

ARIZONA PAIN TREATMENT CENTER  
ATTN JAMES ADKINS  
1301 E MCDOWELL RD STE 100  
PHOENIX AZ 85006

**MINUTE ENTRY**

Courtroom ECB-814

9:13 a.m. This is the time set for Oral Argument Re Plaintiff's *Motion for Reconsideration*.

Plaintiff Michelle Taylor is represented by counsel Paul J. Sacco.

Defendants Catholic Healthcare West and Scottsdale Healthcare Corp. are represented by counsel Gregg J. Gnepper for Michella Abner.

Defendant Arizona Pain Treatment Center is not present or represented by counsel.  
Proper notice has been completed.

Court Reporter: Lisa Bradley.

Court and counsel discuss the status of the case.

Based on the materials presented, the discussion and argument held this date, and the reasons set forth on the record,

The Court finds and Orders:

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Regarding Plaintiff's *Motion for Reconsideration*, the fact of whether the attorney has already taken his fees out or asked that those fees be subject to declaratory action does not defeat the common fund doctrine. The common fund doctrine should apply to this particular settlement.

IT IS ORDERED counsel shall file with the Court on or before **December 15, 2008** a formal written Order approved as to form for the Court's consideration in accordance with today's proceeding.

9:39 a.m. Hearing concludes.

**HONORABLE JOSEPH B. HEILMAN  
MARICOPA COUNTY SUPERIOR COURT  
EAST COURT BUILDING  
101 WEST JEFFERSON  
8th FLOOR, COURTROOM 814  
PHOENIX, AZ 85003  
602-506-0292 TEL**